

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) CASE NO. CR03-0121-RSL  
Plaintiff, )  
v. )  
ANTHONY RAY STAHL, ) SUMMARY REPORT OF U.S.  
Defendant. ) MAGISTRATE JUDGE AS TO  
 ) ALLEGED VIOLATIONS  
 ) OF SUPERVISED RELEASE

An initial hearing on supervised release revocation in this case was scheduled before me on February 23, 2007. The United States was represented by AUSA Lisca Borichewski and the defendant by Robert W. Goldsmith. The proceedings were digitally recorded.

Defendant had been sentenced on or about September 5, 2003 by the Honorable Robert S. Lasnik on a charge of Conspiracy to Distribute Controlled Substances, and sentenced to 30 months custody, 5 years supervised release. (Dkt. 72, 77.)

The conditions of supervised release included the standard conditions plus the requirements that defendant not possess any firearm or destructive device, submit to mandatory drug testing, participate in a substance abuse program, abstain from alcohol, submit to search, and provide his

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01 probation officer with access to financial information. Supervision commenced on November 5,  
02 2004.

03 On January 31, 2006, defendant's probation officer reported that defendant had violated  
04 the conditions of supervised release by failing to report for drug testing. Defendant was counseled  
05 and the frequency of drug testing was increased. (Dkt. 85.) No further action was taken at the  
06 time.

07 On May 15, 2006, defendant's probation officer reported that defendant had violated the  
08 conditions of supervised release by testing positive for cocaine and morphine. The defendant was  
09 reprimanded, referred for counseling, and the frequency of drug testing was increased. He was also  
10 referred to Moral Reconation Therapy. (Dkt. 86.) No further action was taken at the time.

11 On September 20, 2006, defendant's conditions of supervision were modified to require  
12 participation in a home confinement program with electronic monitoring for 90 days. (Dkt. 87.)

13 In an application dated January 28, 2007 (Dkt. 88), U.S. Probation Officer Monique D.  
14 Neal alleged the following violation of the conditions of supervised release:

15 1. Failing to comply with the home confinement program since November 21, 2006,  
16 in violation of the special condition requiring he participate in the home confinement program with  
17 electronic monitoring as directed by the probation officer.

18 Defendant was advised in full as to the charge and as to his constitutional rights.

19 Defendant admitted the alleged violation and waived any evidentiary hearing as to whether  
20 it occurred. (Dkt. 90 ).

21 I therefore recommend the Court find defendant violated his supervised release as alleged,  
22 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be

01 set before Judge Lasnik.

02 Pending a final determination by the Court, defendant has been released on the conditions  
03 of supervision.

04 DATED this 23rd day of February, 2007.

05   
06 Mary Alice Theiler  
07 United States Magistrate Judge

08  
09 cc: District Judge: Honorable Robert S. Lasnik  
AUSA: Lisca Borichewski  
10 Defendant's attorney: Robert W. Goldsmith  
Probation officer: Monique D. Neal  
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